

**SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT**

311546

DATE OF REPORT (DAY-MO.-YEAR)

25 September

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION

☐ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
☒ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM-INVESTIGATOR'S NAME		RANK	STAR NO.	SOCIAL SEC. NO.	EMPLOYEE NO.	UNIT ASSIGN.		
Flora SUTTLE		P.A.	10566			121G		
ADDRESS OF INCIDENT			DATE OF INCIDENT -TIME		BEAT OF INCIDENT	LOCATION CODE*		
61 N. Damen			3 March 2006/2145		2413	17		
ACCUSED	NAME		RANK	STAR NO.	SOCIAL SEC. NO.	EMPLOYEE NO.	UNIT ASSIGN.	
	1. Leo SCHMITZ		Lt.	605			214	
	2. John LUCID		Sgt.	2361			214	
	SEX/RACE	D.O.B.	DATE OF APPOINTMENT		DUTY STATUS (TIME OF INCIDENT)		PHYS. COND. CODE†	
	1. M/W		11 Oct. 1986		<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY			
	2. M/W		2 Jan. 1992		<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		01	
IF APPLICABLE - DATE ARRESTED/INDICTED		CHARGES		COURT BRANCH	DISPOSITION & DATE			
1.								
2.								
COMPLAINANTS	NAME		ADDRESS**	CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE†
						F/H	1986	01
VICTIMS	NAME		ADDRESS**	CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE†
WITNESSES	NAME		ADDRESS**	CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE†
						F/H	old	01

☒ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

ALLEGATIONS

SEE PAGE TWO.

I.A.D. LOCATION CODES*

01 Food Sales/Restaurant	11 Public Transportation Veh./Facility
02 Tavern/Liquor Store	12 Park District Property
03 Other Business Establishment	13 Airport
04 Police Building	14 Public Property Other
05 Lockup Facility	15 Other Private Premise
06 Police Maintenance Facility	16 Expressway/Interstate System
07 CPD Automotive Pound Facility	17 Public Way - Other
08 Other Police Property	18 Waterway, Incl. Park District
09 Police Communications System	19 Private Residence
10 Court Room	

I.A.D. PHYSICAL CONDITION CODES†

01 No Visible Injury - Apparently Normal
02 No Visible Injury - Under Influence
03 Injured, Not Hospitalized
04 Injured, Not Hospitalized - Under Influence
05 Injured, Hospitalized
06 Injured, Hospitalized - Under Influence
07 Injured, Refused Medical Aid
08 Injured, Refused Medical Aid - Under Influence
09 Deceased
10 Deceased - Under Influence

** IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

SUMMARY

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

SEE PAGES TWO THROUGH SEVEN.

ATTACHMENTS	INVESTIGATIVE REPORTS- SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS:	INVESTIGATIVE REPORTS- SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS:	PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
	1, 4 & 14	6 through 11, 15 through 22	0	22

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the Investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.

Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

FINDINGS:

FINDINGS--RECOMMENDATIONS

SEE PAGE SIX.

DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION)	DATE COMPLETED (DATE OF THIS REPORT)	ELAPSED TIME (TOTAL TIME, EXPRESSED IN DAYS)
6 March 06	25 September 2006	204

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

IF NECESSARY, USE AN 8½ x 11" SHEET OF

ADDITIONAL ACCUSED:

#3. Chad BAUMAN, P.O. 15110, [REDACTED] Pax 4142, Unit 214, M/W, [REDACTED] 1971, 13 Sept. 1999, On Duty, Sworn 01

#4. Aaron CUNNINGHAM, P.O. 15522, [REDACTED] Unit 214, [REDACTED] 1967, 29 June 1998, On Duty, Sworn, 01

#5. David GREENWOOD, P.O. 15128, [REDACTED] Unit 214, [REDACTED] 1974, 13 Sept. 1999, On Duty Sworn, 01

#6. Tony HENRY, P.O. 18642, [REDACTED] Unit 214, [REDACTED] 1961, 5 Dec. 1994, On Duty, Sworn, 01

#7. Joshua PURKIS, P.O. 4801, [REDACTED] Unit 214, [REDACTED] 1988, 27 Jan. 2003, On Duty, Sworn, 01

#8. Corry WILLIAMS, P.O. 17004, [REDACTED] Detailed to Unit 193, [REDACTED] 1974, 2 Aug. 1999, On Duty, Sworn, 01

ALLEGATIONS:

The complainant, [REDACTED] alleged that on 3 March 2006 at 61 [REDACTED] N. Damen, at 2145 hours, the accused department members, numbers 1 through 8 damaged her apartment during the execution of a search warrant, [REDACTED] removed \$9,000.00 USC from her bedroom, and failed to leave a receipt for the money with the fifteen year old baby-sitter.

The complainant, [REDACTED] alleged that on 3 March 2006 at 61 [REDACTED] N. Damen, at 2145 hours, the accused department members, numbers 1 through 8, caused a lot of damage to her personal belongings during the execution of a search warrant, [REDACTED]

INVESTIGATION:

The undersigned received this case for investigation on 8 March 2006. Upon receipt of this case the undersigned contacted the complainant, [REDACTED] and scheduled an appointment for her to appear in the Internal Affairs Division to sign a Sworn Affidavit and participate in a Question and Answer Statement.

[REDACTED] appeared in the Internal Affairs Division on 9 March 2006 and signed a Sworn Affidavit prior to participating in a Question and Answer statement.

INVESTIGATION CONTINUED:

██████████ stated that on 3 March 2006 the police executed a search warrant at her apartment they were looking for ██████████ and a gun. ██████████

██████████ stated that she was not home when the police arrived, ██████████
██████████ was in her apartment babysitting her ██████████

██████████ stated that the police took \$9,000.00 dollars from her apartment and damaged a lot of property. ██████████ stated that ██████████ gave her \$7,000.00 in one hundred dollar bills to send her to beauty school and open up a hair salon. ██████████ stated that ██████████ gave her \$3,000.00 for bond when ██████████ related, when the court case concluded, \$2,000.00 of the bond was returned to her. ██████████ claimed she had receipts for the money but she never produced receipts.

██████████ also stated that the police tore open her closet doors and broke the door to her bedroom. ██████████ stated that the police pulled out the light fixture in her kids room, broke the baby bed and all of the drawers to her furniture. ██████████ further stated that the police threw out all of her groceries.

The undersigned obtained a copy of search warrant number ██████████ which was executed at the complainant's apartment on 3 March 2006 at 2151 hours. ██████████ a convicted felon, on parole was the subject of the search warrant. A black firearm was the object of the search.

The undersigned obtained a copy of ██████████ Criminal History Record which indicates that ██████████ has a total of twenty eight arrests which include ten felonies, twenty two misdemeanor, and five convictions.

The undersigned obtained a copy of the case report filed under RD Number ██████████ the case report indicated that the search warrant was executed by the Project Safe Neighborhoods Federal Gun Task Force and referenced a detailed Supplementary Report.

The Supplementary Report documented that a search warrant was executed at ██████████ on the date and time in question looking for ██████████
██████████ The search team recovered a bundle of U.S.C. from the bedroom totaling \$8,970.00. A false wall was located, a false light socket was recovered, and the search team officers believe that the false light socket was used to conceal narcotics and contraband. The search team also recovered a coffee can in the kitchen with a false bottom which they believe was used to conceal narcotics and contraband. A copy of the search warrant was left at the apartment.

INVESTIGATION CONTINUED:

Canine Unit 4619 was notified and the money, \$ 8, 970.00 dollars, sniffed positive for narcotics.

The undersigned also obtained a copy of Inventory records [REDACTED] which documents that \$8,970.00 was inventoried, [REDACTED] documents that a false wall outlet for concealment was inventoried and [REDACTED] documents that a false bottom coffee can containing suspect cocaine residue was also inventoried.

The undersigned mailed a certified letter to the [REDACTED]
[REDACTED] The undersigned was attempting to schedule an interview with [REDACTED] called the undersigned on 15 May 2006 at 1100 hours, regarding the letter. [REDACTED] informed the undersigned that [REDACTED] She agreed to allow [REDACTED] to participate in a telephone interview.

The undersigned interviewed witness, [REDACTED] on 13 June 2006 at 1355 hours. [REDACTED] gave the undersigned verbal consent prior to interviewing the minor and remained on the telephone during the interview.

[REDACTED] stated that on 3 March 2006 at 2145 hours, she was babysitting for the complainant, [REDACTED] at 61 [REDACTED] N. Damen. [REDACTED] related that there was a knock on the door, she opened it and several male police officers entered the complainant's apartment. [REDACTED] stated that one of the officers informed her that they were looking for a gun which belonged to the complainant's [REDACTED] According to [REDACTED] the police officers looked through the six rooms in the apartment; after they left everything was out of place. [REDACTED] stated that the police threw items on the floor, broke the radio and kids bed. [REDACTED] stated that one of the officers gave her a copy of the search warrant before they left.

The accused were served and they all responded to the allegations by report.

#1. Lieutenant Leo SCHMITZ, Star 605, Unit 214, denied the allegations and the information in his report was consistent with the information given in Sergeant LUCID'S report and reports given by other search team members.

#2. Sergeant John LUCID, Star 2361, Unit 214, denied the allegations and stated he executed a search warrant which was conducted according to Department policy. Sergeant LUCID reported that during the search warrant \$8, 970.00 dollars was seized and properly inventoried under inventory [REDACTED]. Sergeant LUCID further stated that a receipt for the money was given to the complainant, later in the station.

INVESTIGATION CONTINUED:

#3. Officer Chad BAUMAN, Star 4142, Unit 214, denied the allegations, the information provided in his report was consistent with the information contained in the other search team member's reports.

#4. Officer Aaron CUNNINGHAM, Star 15522, Unit 214, denied the allegations. The information provided in his report was consistent with the information in the reports of the other search team members.

#5. Officer David GREENWOOD, Star 15128, Unit 214, denied the allegations and reported that during the execution of the search warrant he was part of the entry team that searched the apartment and he was also the recovery officer. Officer GREENWOOD reported, he personally recovered \$8,970.00 dollars from a bedroom in the apartment and inventoried it per Department directives.

#6. Officer Tony HENRY, Star 18642, Unit 214, denied the allegations. Officer HENRY'S account of the execution of the search warrant is consistent with the information provided by the other search team members.

#7. Officer Joshua PURKIS, Star 4801, Unit 214, denied the allegations the information contained in his report is consistent with the information provided by the other search team members.

#8. Officer Corry WILLIAMS, Star 17004, Unit 214, denied the allegations and reported that his assignment during the execution of the search warrant was to breach entry if necessary and guard the front entry of the apartment. Officer WILLIAMS further stated that he did not damage [REDACTED] apartment nor observe any damage to her apartment.

The investigation revealed that a search warrant was executed at the complainant's apartment on 3 March 2006. The complaint's boyfriend, [REDACTED] a convicted felon, who is on parole, was the subject of the search warrant and a gun was the object of the search. During the execution of the search warrant the search team members violated no Department policies or procedures. All items and money seized during the search were properly inventoried. A false wall was located, a false light socket was recovered, the false light socket was used for concealment of narcotics and contraband. A coffee can with a false bottom containing suspect cocaine residue was used for the same purpose.

INVESTIGATION CONTINUED:

The complainant came into the police station after she was informed of the search and the accused stated that she was given a receipt for the \$8,970.00 dollars that was seized from her apartment. The undersigned has not been able to prove or disprove that the complainant received a receipt for the money that was recovered from her apartment and inventoried under her boyfriend's name, [REDACTED]. Therefore allegation number one is classified as NOT SUSTAINED. Due to the items recovered in allegation number two all of the actions of the accused Department members were lawful and proper. Therefore the undersigned is classifying allegation number two as EXONERATED.

FINDINGS:

Accused #1:	Lieutenant Leo SCHMITZ, Star 605, Unit 214
Allegation #1:	NOT SUSTAINED, the allegation can not be proved or disproved.
Allegation #2:	EXONERATED, all of the accused's actions were lawful and proper.
Accused #2:	Sergeant John LUCID, Star 2361, Unit 214
Allegation #1:	NOT SUSTAINED, the allegation can not be proved or disproved.
Allegation #2:	EXONERATED, all of the accused's actions were lawful and proper.
Accused 3:	Officer Chad BAUMAN, Star 4142, Unit 214
Allegation #1:	NOT SUSTAINED, the allegation can not be proved or disproved.
Allegation #2:	EXONERATED, all of the accused's actions were lawful and proper.
Accused 4:	Officer Aaron CUNNINGHAM, Star 15522, Unit 214
Allegation #1:	NOT SUSTAINED, the allegation can not be proved or disproved.
Allegation #2:	EXONERATED, all of the accused's actions were lawful and proper.

FINDINGS CONTINUED:

Accused 5:	Officer David GREENWOOD, Star 15128, Unit 214
Allegation #1:	EXONERATED, all of the accused's actions were lawful and proper.
Allegation #2:	NOT SUSTAINED, the allegation can not be proved or disproved.
Accused 6:	Officer Tony HENRY, Star 18642, Unit 214
Allegation #1:	NOT SUSTAINED, the allegation can not be proved or disproved.
Allegation #2:	EXONERATED, all of the accused's actions were lawful and proper.
Accused 7:	Officer Joshua PURKIS, Star 4801, Unit 214
Allegation #1:	NOT SUSTAINED, the allegation can not be proved or disproved.
Allegation #2:	EXONERATED, all of the accused's actions were lawful and proper.
Accused 8:	Officer Corry WILLIAMS, Star 17004, Unit 214
Allegation #1:	NOT SUSTAINED, the allegation can not be proved or disproved.
Allegation #2:	EXONERATED, all of the accused's actions were lawful and proper.

RECOMMENDATIONS: No disciplinary action warranted. Case to be filed.

EVIDENCE:
CR# 311 546

Attachments:

1. Complaint Against Department Member (6 March 2006)
- 1A. Complaint Register Investigation Conflict Certification (9 March 2006)
2. Sworn Affidavit (9 March 2006)
3. Report of Police Agent Flora SUTTLE, Star 10566, Unit 121 G Telephone Interview with the Complainant, [REDACTED] (8 March 2006)
4. Statement of Complainant, [REDACTED] (9 March 2006) (four pages)
5. Copy of Complainant's State ID, expires (25 April 2006)
6. Copy of Offender, [REDACTED] Criminal History Report (eleven pages)
7. Copy of Case Report RD Number [REDACTED] (3 March 2006) (two pages)
8. Copy of Complaint for a Search Warrant (28 February 2006)
9. Search Warrant Data (28 February 2006) (two pages)
10. Project Safe Neighborhoods Gun Task Force Supplementary Report (3 March 2006) (two pages)
11. Copy of Inventory Receipts Numbers [REDACTED] (4 March 2006) (six pages)
12. Return Receipt for Certified Letter mailed to [REDACTED] (15 May 2006)
13. Report of Police Agent Flora SUTTLE, Star 10566, Unit 121 G Telephone Interview with [REDACTED] (15 May 2006)
14. Report of Police Agent Flora SUTTLE, Star 10566, Unit 121 G Telephone Interview with [REDACTED] (13 June 2006)
15. Report and Related Documents of Lieutenant Leo SCHMITZ, Star 605, Unit 214, (5 September 2006) (five pages)
16. Report and Related Documents of Sergeant John LUCID, Star 2361, Unit 214, (5 September 2006) (three pages)
17. Report and Related Documents of Police Officer , Chad BAUMAN, Star 15110, Unit 214, (6 September 2006) (five pages)
18. Report and Related Documents of Police Officer Aaron CUNNINGHAM, Star 15522, Unit 214, (5 September 2006) (five pages)
19. Report and Related Documents of Police Officer David GREENWOOD, Star 15128, Unit 214, (5 September 2006) (three pages)
20. Report and Related Documents of Police Officer Tony HENRY, Star 18642, Unit 214, (5 September 2006) (five pages)
21. Report and Related Documents of Police Officer Joshua PURKIS, Star 4801, Unit 214, (6 September 2006) (five pages)
22. Report and Related Documents of Police Officer Corry WILLIAMS, Star 17004, Unit 214, (9 September 2006) (five pages)